Gen. II-27—15,000—18-12-37.

Revenue (1933) Department.

M SERIES.

G.O. No. 619

DATED 30-3-33

[Despatch Abstract.]

SUITS -

South Kanara, Mangalore - Sub-Court - O.S.No.61/26 Panjikudal Narayana's Escheat property - mesne profits and cost - Irrecoverable - write off - Sanctioned.

C.F. 81—10 188—8-9-24

Revenue **DEPARTMENT.**

CURRENT No. Rev. 1099 B

Received ..... 192 Registered 20.3. 1933

Subject.

Suits (South Kanara)- Mangalore sub court- O.S.61/26 - Panjikudel Narayana's escheated property - Mesne profits and costs- write off- Sanction.

ENCLOSURES
No. Two Pps.
.....
Spare copies.....

Reference... No. A 698/33--1

Station Madras, *Dated the* 16th March 1933 192

From A.R. MacEwen Esq., M.C., I.C.S.,
Secretary,
~~The~~ Land Revenue and
Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~

The Hon.Mr.C.B.Cottenell C I.E.,I.C.S.,
Commr.of Land Revenue. -

Resolution
Reference.

Read the following:-

Letter from E.M.Gawne Esq.,I.C.S., Collector of South Kanara Ref A3 No. 3777-24 dated the 22nd February 1933:-

After the Board negatived in its Proceedings Mis.No.3672 dated 3rd.December 1929, the Collector's proposal to prefer an appeal from the Sub Judge's decision in the above suit, action was taken to recover possession of the property and to collect the mesne profits. costs etc.. due to Government. Defendants 4 to 7 readily gave possession of the properties in schedule A to Government on 10-12-29 but defendant 3 would not deliver

possession of the property in Schedule C nor could any amount due to Government be collected out of court. An execution was therefore taken for the recovery of possession of the property in Sch.C as well as for the recovery of the amounts due to Government.

2. According to the decree, the costs etc., due to Government were recoverable only from defendants 1 and 3 to 9 of whom all except defendant 9 possessed no property worth the name - moveable or immoveable. The only hope for Government was therefore, the properties of defendant 9. He also possessed no moveables of his own and his immoveable property which was highly encumbered was attached and brought to sale. For want of bidders, however, the execution petition was dismissed. As the enquiry showed that the property was heavily encumbered and that the value of equity of redemption was considered practically nil, my predecessor, Mr.Hussain also decided not to purchase it on behalf of Government. Lest it should be another source of loss to Government. Meanwhile possession of property in Sch.C was taken from defendant 3 through Court on 10-7-30.

3. The amount due to Government (Rs. 5281-8-6) is large as shown in the margin, but there are possible means of its recovery- not to speak of the interest thereon. But the sum represents chiefly mesne profits over a long period. Naturally these mesne profits were consumed by those in possession of the lands and have disappeared There would be no hope of recovering the amount unless the defendants had other valuable properties which could be seized; but they have not.

From whom due.	Mesne profits. Past till date of plaint Rs.	as.	ps.	Future till date of delivery. Rs.	as.	ps	Costs awarded to Govt Rs.	As	P
Deftd.1 & 4 to 9.	1990	11	9.	2650	5	1	658	-	7
Deft.. 3	71	10	3	70	2	4			
Total.	2062	6	0.	2720	7	5	658	0	7
Total amount due to Government from Defendants....							Rs. 5440 14		
Deduct amount payable to Deft.3 for cost of improvements.							159 -5--0		
Net amount due to Government.							Rs. 5281--8--6		

A

5

Rev dept

C no 1099 B/33.

Suits (South Kanara) - Mangalore Sub Court - O.S. 61/26 - Panyi Kudel Narayanas escheated property - Mesne profits and costs - write off.

Cf. Board's Ref no A.698/33-1 of 16.3.33.

Ld A.S

Please see the Collector's letter and the Board's Reference at pp 1-3 Cf. In the circumstances stated by the Collector and the Board, I submit for orders whether the Board's recommendation to write off the amount of Rs 5281-8-6 as irrecoverable, will be acceptable. Subject to approval a draft order is submitted. It may be sent to Finance for acceptance

p 3 Cf.

21.3.33

21.3.33

S

Fin

Finance (Accts)

Submitted that the draft order may be accepted.

23.3.33 25/3/33

24.3.33

Rev

ASSISTANT TO GOVERNMENT 25 MAR 1933 REVENUE DEPARTMENT

Rev no 1099 B/33-1

23.3.33

ASSISTANT SECRETARY TO GOVERNMENT 22 MAR 1933 FINANCE DEPT.

Rev 1203.B

Dy. 28.3.33

8914 Accts

Memo 8914 Accts 1

29.3.33

Q 6

Rev Dept

The draft may issue

28.3.33

S

29/3

C3 28.3.33

Circ. 29.3.33.

Issue

29/3

Sectt. II-5 (a)

Rev DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.	28/3/33	
When copied		
When examined		
When signed		
When despatched		

Issue
30/3/33

READ AGAIN G O No ....., dated ..... 19 .

" " ..... " ..... 19 .

READ ALSO :— H1-3 C

C No. 10998/33 From the Board of Rev & Agrct Dy, No A 698/33-1, dated 16. 3. 1933.

" " ..... " " ..... " ..... " 19

" " ..... " " ..... " ..... " ..... 19 .

ORDER.

Gs.

P2 cf

No. 619, dated 30. 3. 1933

The Govt sanction the write off as irrecoverable of the sum of Rs 5281-8-6 (Rupees five thousand two hundred and eighty one, annas eight and pies six ~~only~~) being the amount of mesne profits and costs due from some of the defendants ~~accordance with the~~ in O.S no 61/26 on the file of the Subordinate Judge's Court, Mangalore, ~~together with~~ and of the interest ~~due on it~~. thereon

Upd. by dwd 30/3/33

Dpt's. initials

Date 31/3/33

To The Bd of Rev & Agrct with five records
A.G. this Dn
Finance Deptt

Gs
21.3.33

21.3.33

WC M.